

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Rule making related to podiatry

The Board of Podiatry hereby amends Chapter 222, “Continuing Education for Podiatrists,” Chapter 223, “Practice of Podiatry,” and Chapter 224, “Discipline for Podiatrists, Orthotists, Prosthetists, and Pedorthists,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code chapter 149 and sections 147.62 and 272C.2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 149 and sections 147.62 and 272C.2.

Purpose and Summary

2018 Iowa Acts, House File 2377, section 4, created new Iowa Code section 124.551A requiring prescribing practitioners to check the prescription monitoring program database prior to issuing an opioid prescription. 2018 Iowa Acts, House File 2377, section 21, created new Iowa Code section 147.162 requiring the Board to adopt rules that establish penalties for practitioners who overprescribe opioids. 2018 Iowa Acts, House File 2377, section 22, created new Iowa Code section 272C.2C requiring the Board to adopt rules requiring continuing education for opioid prescribers as a condition of license renewal. These amendments mandate that opioid prescribers check the prescription monitoring program database prior to prescribing opioids, require continuing education regarding opioid prescriptions, and allow for Board discipline for practitioners who overprescribe opioids.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on October 10, 2018, as **ARC 4051C**. A public hearing was held on October 30, 2018, at 8 a.m. in Fifth Floor Conference Room 526, Lucas State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on November 20, 2018.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Professional Licensure Division are subject to the waiver provisions accorded under 645—Chapter 18.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on April 3, 2019.

The following rule-making actions are adopted:

ITEM 1. Reletter paragraphs **222.3(2)“d”** to **“g”** as **222.3(2)“e”** to **“h.”**

ITEM 2. Adopt the following new paragraph **222.3(2)“d”**:

d. A licensee who has prescribed opioids to a patient during a renewal cycle shall have obtained a minimum of 1 hour of continuing education regarding the United States Centers for Disease Control and Prevention guideline for prescribing opioids for chronic pain, including recommendations on limitations on dosages and the length of prescriptions, risk factors for abuse, and nonopioid and nonpharmacologic therapy options.

ITEM 3. Adopt the following new rule 645—223.5(149):

645—223.5(149) Prescribing opioids. A podiatrist shall review a patient's information contained in the prescription monitoring program database for each opioid prescription prior to prescribing, unless the patient is receiving inpatient hospice care or long-term residential facility care.

ITEM 4. Adopt the following new subrule 224.2(32):

224.2(32) Prescribing opioids in dosage amounts exceeding what would be prescribed by a reasonably prudent prescribing practitioner engaged in the same practice.

[Filed 1/30/19, effective 4/3/19]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 2/27/19.